

**TOWN OF DAVIE
WORKSHOP MEETING
JANUARY 27, 2005**

The meeting was called to order at 6:03 p.m. and was followed by the Pledge of Allegiance.

Present at the meeting were Mayor Truex, Vice-Mayor Paul, and Councilmembers Crowley, Hubert and Starkey. Also present were Interim Town Administrator Kovanes, Town Attorney Kiar and Town Clerk Muniz recording the meeting.

Planning and Zoning Manager Fernando Leiva thanked those who assisted in preparing the presentation in order to provide an update on activities concerning the airport expansion. He thanked Councilmember Starkey, Public Information Officer Braulio Rosa, Assistant Town Administrator Ken Cohen, and the Town Clerk's Office for their collective efforts.

Mr. Leiva explained that the purpose of the workshop was 1) to provide an update of airport expansion activities which had taken place over the past 24 months; 2) to provide information on what was likely to happen in the future; and 3) to request direction from Council on how staff should address the Town's goals on this issue.

Planner Ingrid Allen advised that the documentation included in the packet covered past, present and future scenarios regarding airport expansion. She spoke of the interlocal partnership agreement with the cities of Hollywood and Dania Beach and advised that the group met regularly. With regard to the Environmental Impact Statement (EIS), Ms. Allen advised that the contract was awarded to Landrum and Brown and that the Fort Lauderdale/Hollywood International Airport had issued a Notice to Proceed on July 29, 2004. With regard to noise monitors deployed in Davie, there were two permanent monitors at Treetops Park, one permanent monitor at 55th Avenue, and a temporary roaming monitor at Shenandoah. Ms. Allen advised that a report enclosed in the packet gave additional findings on noise.

Ms. Allen indicated that on September 14th, the Board County Commissioners had voted to update the decade-old Airport Master Plan. She advised that on October 25th, the Broward County Aviation Department (BCAD) had issued a partial Notice to Proceed. Ms. Allen indicated that a Notice of Intent was expected to appear in the register in January 2005, and the draft EIS was expected to be released in June 2006. Ms. Allen also indicated that BCAD had tentatively scheduled the first public hearing on the EIS for March 17th.

Ms. Allen referred to a map illustrating noise monitors and to the Noise Reports within the packet. She explained some of the technical terminology used in the Report such as "SEL" indicating an accumulation of noise and "MAX" indicating maximum sound level. Ms. Allen advised that staff was awaiting a final report on the Shenandoah temporary noise monitor.

Ms. Allen advised of a public meeting on the proposed Concourse A baggage facility development, which was being held the same evening as the Workshop at 6:00 p.m. She explained that some consultants for the Town would attend.

Ms. Allen advised that the BCAD and County Commissioners were moving forward on projects which would expand operations at the airport including:

- modifications to the exit runway system
- interim modifications to Terminal 4
- expansion of general aviation fixed base operations, and
- hiring special counsel to represent Broward County's interests in the expansion

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Mr. Leiva spoke of the need for the Airport Master Plan to be updated. He referred to Item IV of the outline which specified upcoming events that would directly impact the expansion. In terms of future activities Mr. Leiva advised that: 1) the EIS would be released June 2006; 2) a study addressing noise pollution would be prepared as part of the EIS; and 3) the Town would look at ways to mitigate existing current conditions based on the readings given by these monitors.

Mr. Leiva asked Council for input on options to proceed including maintaining the status quo on the Town's efforts or modifying the scope of its consultants' work. He advised that staff wished to look at processes used within other cities. To conclude, Mr. Leiva requested direction from the Council with regard to options that would further involve Town staff and consultants over the next three to five years.

Councilmember Starkey spoke of the PowerPoint presentation and the desire to place it on the Internet. She stated this workshop was an opportunity to provide feedback on the presentation before it was placed on the Web. Councilmember Starkey advised that she had met with members of the Town's Airport Advisory Board the previous Monday and informed them of the workshop.

Councilmember Starkey narrated the main points of the PowerPoint presentation highlighting significant issues related to expansion such as:

- Potential property loss due to expansion
- Effects on property values and Broward County taxes
- Broward County economic impact due to loss of property values
- Noise contours
- Effects of the reduction in tax base
- Negative impact of the environmental pollution on the economy
- Effects of noise pollution and DNL noise event readings
- Effects on the Town's open space, trails and wildlife system
- Reports from the EPA and other agencies that addressed the EIS issues
- Effects of various approach patterns
- The County Commission's new position
- Uncertainty in airline industry and different aviation equipment

Mayor Truex felt the presentation was worded too "nicely" and that the negative impacts needed to be highlighted. He spoke of the potential for even more displaced residents who had nowhere to go based on the Town's issues with affordable housing.

Councilmember Starkey stated that staff's time had been very limited with regard to its ability to handle these issues. She felt that direction from Council was needed to see how many real dollars could be earmarked to help oppose the expansion.

Mayor Truex spoke of the \$500 million figure in the presentation and felt this would be increased to over \$1 billion once condemnation and property taking began. He added that the Town should take the position that the mitigation from current and past impacts and future expansion should be addressed first.

Councilmember Starkey spoke of the need to look for a place for residents who would be displaced. She discussed the Town's staffing issue and asked whether a) the Town should maintain the status quo; b) hire additional consultants; or c) allocate additional revenues to assist staff with the limited time it had to address this issue.

Mr. Leiva referred the attendees to Neal McAliley's legal recommendations which read: 1) the three municipalities continue to work together in opposition to the airport expansion plan; 2) the three municipalities continue to use the expertise of members of their team, in particular Brenda Chalifour, to engage the County and the FAA and 3) the three municipalities consider putting Rick Elder, the former Miami-Dade County Aviation Director, on retainer who could provide significant technical expertise.

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Vice-Mayor Paul spoke of the County's vote on the shorter runway and asked if the 9,000-foot runway was still on the table. Councilmember Starkey stated that she did not think so and advised that the County was likely to be providing more information soon.

Vice-Mayor Paul questioned if there was any chance the runway would ever go back to 9,000 feet. George Pompilio, representing BCAD, advised that the vote taken on December 9th was really regarding a "footprint." He advised that the footprint was submitted to an engineering company, which outlined the maximum type of runway that could fit the footprint. Mr. Pompilio advised that that figure of approximately 8,100 feet had been sent to the FAA. He stated that the Commission could vote to change this figure but for now, the actual vote taken on December 9th was to use the 8,100 feet as the recommended alternative within that footprint.

Vice-Mayor Paul felt it was okay to leave the figure at the 9,000 feet to highlight potential impacts. She questioned the consistency of the various municipalities' goals with regard to expansion. Councilmember Starkey stated that some perceived contrary viewpoints were not the official positions of some municipalities. Mayor Truex felt that while it was possible for some municipalities to take a different position in the future, at the moment, all were generally on the same page.

Vice-Mayor Paul spoke of the \$75,000 expended so far on the Town's efforts and wanted to ensure that the Town would get the biggest bang for its buck. She spoke of e-mails received from former advisory board members advising that the Airport Advisory Board needed more direction. Councilmember Starkey stated that the Board was very consistent and generally had a united front. She pointed out that only one individual voiced a differing view.

Mayor Truex spoke of a resolution that would come before Council which would unify all three parties' position on what they objected to.

Vice-Mayor Paul spoke of the proposed new gates in some terminals which she felt could be used to help justify runway expansion. She asked what could be done about advising the Town how to mitigate present noise conditions. Vice-Mayor Paul felt that the goals which needed to be prioritized were new gates, mitigation, flight tracking, and the impact on public and private schools were concerned. She pointed out that the noise rattled homes west of Flamingo Road. Councilmember Starkey stated that the noise contours only went as far as Hiatus Road, because that was the only extent to which the County would consider mitigating.

Mayor Truex advised that more complaints would be received from west Davie. Councilmember Starkey stated that the Board had been trying to address all these concerns from the beginning and added that the Town could not rely solely on the County Commission. She felt that the Town's staff would be best doing the homework on this issue as they were most intimately familiar with the Town's Land Development Code. Councilmember Starkey spoke of the Board's efforts including attending meetings, the NOISE Consortium and conducting its own research.

Vice-Mayor Paul felt flight tracking was needed to mitigate the noise pollution. Councilmember Starkey felt the Town needed to address both the long-term problems reflected in the EIS while pursuing shorter-term goals such as flight tracking.

Councilmember Hubert indicated that her most pressing concern was where the 1,600 families would go if they had to be displaced.

Councilmember Crowley spoke of the maximum level noise events which he felt were very high and needed to be addressed. He was not in favor of hiring more consultants but felt that staff needed to be augmented with additional staff. Councilmember Crowley wanted to see more noise monitors added or the noise monitor at Shenandoah moved. Councilmember Starkey advised that the County would eventually place five noise monitors in Davie, with four permanent and one temporary.

Winston Cannicle, representing the BCAD, spoke of the placement of the noise monitors and explained how the locations and numbers were derived. He advised that the BCAD had requested the

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temporary monitor for 60 days in Shenandoah. Mr. Cannicle stated that as things progressed related to expansion, the BCAD would look at other areas when the need arose. He indicated that there was no confirmation on exactly how many monitors would be installed but that they would be addressed as requested by the Town.

Mr. Cannicle cautioned the Town not to imply that every area would be provided with a noise monitor as they would only be placed in the most strategic locations. Councilmember Crowley asked if staff would have some input on locations. Mr. Cannicle responded in the affirmative.

Mr. Cannicle offered clarification that the "SEL" reflected in the handout represented a Sound Exposure Level not a single event. He further explained that the SEL was actually higher noise reading than the MAX level. Mr. Cannicle explained that the DNL reflected a Day/Night Sound Average which was an annual average.

Councilmember Crowley asked if there were fixed levels beyond which it was illegal for an aircraft to exceed. Mr. Cannicle advised that while federal standards were in place, he did not believe the government stipulated that an aircraft landing had to be a particular height at a particular location, as various other factors were hard to quantify.

Councilmember Starkey asked if the County had ever fined an airliner for exceeding the federal standards set for noise. She also asked if the County would establish any fines based on any agreement that may be drafted in the future. Mr. Cannicle explained that the BCAD currently had no fines allotted to any violations. He explained BCAD could not dictate rules over and beyond federal guidelines.

Hertz Halperin asked what the BCAD did when residents complained about specific noise events. He asked if there was no fine in place, what would be the incentive to complain. Mr. Cannicle explained that various factors came into play when an aircraft was operating and he researched complaints by looking at the tracks and altitudes of aircraft. He added that part of his job was to look into anomalies and resident issues. Mr. Cannicle explained that when pilots operated aircraft in unusual ways, they were reminded to comply with Aviation Department rules.

County Commissioner Wexler advised that since she was recently elected, she would be looking over the results of the three studies and getting caught up on all these issues. She felt that the Town's staff did a fine job of putting the presentation together which was very helpful. Commissioner Wexler felt it was important for the County staff to communicate with residents on these issues in a timely manner. She advised that her office in Cooper City Hall would be open on February 22nd and she would inform County Commissioner Rodstrom on what was discussed at the workshop.

Tom Jargiello, Director of the County's Aviation Department, clarified that the County's vote taken on December 9th was not a vote authorizing the expansion of the south runway, but instead was a vote authorizing a series of seven or eight steps such as:

- 1) reviewing the EIS and submitting a finding
- 2) requiring that a Master Plan be done
- 3) requiring that mitigation standards be developed and financed
- 4) looking at the north parallel
- 5) doing an analysis of the north parallel
- 6) doing the general aviation, and
- 7) discussing the issue of crosswind runway

Mr. Jargiello advised that over \$15 million was being spent getting this information together. He stated that a comprehensive concurrent plan had been put together but felt it was important the communities continued to remain involved. Mr. Jargiello reiterated that there had been no decision made to date.

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Councilmember Starkey pointed out that the improvements being considered were based on a 1994 study and not on the needs reflected in the current Master Plan. She felt it was important to factor in current needs before going forward with a piecemeal process. Councilmember Starkey stated that the Town objected to expanding the concourse and to adding new gates because these were being based on old needs. She asked why the County was going forward on this and when the vote would take place with the County. Mr. Jargiello advised that the Structure Negotiating Committee had only prepared a design for these improvements. He explained that the agreement to design Concourse A required a gate utilization study and an EIS which were both being done. He stated that when these studies were presented before the Board, the Board would then be asked if it wanted to approve the design. Mr. Jargiello advised that this process would be ready for the Board in two-three months. He stated that there was no actual vote to construct Concourse A.

Councilmember Starkey requested that any studies subsequent to being presented to the County Commission and at the time, they were completed, whether a gate utilization study or EIS, be forwarded to the Town Council, Administration and Development Services in a timely manner, so they could be reviewed. Mr. Jargiello agreed with this request and stated that all documents that had public impact would be shared with the Town and its various Committees and Boards.

Leigh Fisher, with Leigh Fisher & Associates advised that the first public workshop on the Master Plan would be held on March 17, 2005.

Development Services Director Mark Kutney wanted Council to address internal staff direction as it related to this issue. He spoke of staff's constraints and indicated that individuals assigned to this project had several other duties. Mr. Kutney wanted consideration to be given to having one individual assigned or hired to work on this project. Mr. Leiva echoed the sentiments of Mr. Kutney and felt that a full-time staff member would be needed to work on these issues going forward. He explained that staff had identified four categories of work involved including: 1) coordinating with different agencies; 2) setting up meetings in various communities; 3) doing extensive research; and 4) providing technical responses to documents. Mr. Kovanes asked for direction from Council on the handling of resources and funding.

Councilmember Starkey wanted Council to define the scope of Brenda Chalifour's work. She felt it was appropriate at this time to request that Mr. Kovanes define more specific terms of Ms. Chalifour's contract. Councilmember Hubert questioned why Ms. Chalifour's services were needed if her work largely involved using public records. Councilmember Starkey pointed out that staff had not yet been able to assign one individual to work on these issues consistently and with stability. She felt that for now, Ms. Chalifour's expertise, information and ongoing outreach and action with residents needed to be maintained but with a more defined scope.

Vice-Mayor Paul wanted to see Ms. Chalifour eventually phased out. She felt hiring interns for long-term projects would create too much turnover but felt they could be used on smaller projects. She pointed out that the Town had to look at the merits of having a full-time staff member for this project as that individual would be interested in all the benefits that would go along with the job on a long-term basis.

Mr. Kovanes stated that Ms. Chalifour would be treated like all other lobbyists and that a monthly report would be required. He suggested that he look into the possibility of hiring an intern from Embry Riddle Aeronautical University. Mr. Kovanes asked for a consensus from Council on the recommendations given by White and Case and mentioned that the Town had received several solicitations from various consultants.

Mayor Truex felt that staff should meet with Ms. Chalifour and that Council could further modify or define what she was to work on. Council gave approval for the first two recommendations of White

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and Case, but did not approve the third recommendation to retain Mr. Elder from the Miami-Dade Aviation Board.

Councilmember Starkey asked if Council was in consensus that an update of the Airport Master Plan was needed prior to any improvements and any further community outreach. Council agreed.

Mayor Truex asked if the language stating “we support responsible growth” could be toned down or left out of the presentation. Councilmember Starkey agreed.

Councilmember Starkey stated that unless there was an objection from Council, the Airport Advisory Board would continue participating in the NOISE Consortium.

As there was no further business to discuss and no objections, Mayor Truex adjourned the meeting at 8:11 p.m.

Approved _____

Mayor/Councilmember

Town Clerk